IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2894 OF 2007
IN
APPEAL (L) NO.477 OF 2007
IN
SUMMONS FOR JUDGMENT NO.58 OF 2007
IN
SUMMARY SUIT NO.2999 OF 2006

Atma Prasad Pandey ..Appellant

Vs.

Kedar Pandey & Ors. ..Respondents

None for the Appellant.
Mr.Chetan Chothani i/b.Mr.M.S.Prasad for Respondent Nos.1 to 4.

CORAM :- DR.S.RADHAKRISHNAN &
ANOOP V.MOHTA,JJ.

DATE : 23RD NOVEMBER,2007

P.C.

. None appears for the Appellant. Heard the learned Counsel for the Respondents. Perused the Notice of Motion and affidavit-in-support thereof as well as affidavit of service dated 21st September,2007. By this Notice of Motion, the Appellant is seeking condonation of 5 days delay in filing the above Appeal. For the reasons stated therein sufficient cause is made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(ANOOP V.MOHTA,J.) **(DR.S.RADHAKRISHNAN,J.)**